



Washington City Council

111 North 100 East

Washington City, UT 84780

Phone (435) 656-6300

Fax (435) 656-6370

www.washingtoncity.org

Agenda
Regular Meeting
April 13, 2016

PUBLIC NOTICE is hereby given that the Washington City Council will hold a Public Meeting on Wednesday, April 13, 2016, at 6:00 P.M. in the Council Chambers of the Washington City Offices, located 111 North 100 East, Washington, Utah.

ONE OR MORE OF THE MEMBERS OF THE CITY COUNCIL WILL BE PARTICIPATING IN THIS MEETING ELECTRONICALLY. THOSE MEMBERS NOT PRESENT WILL BE PARTICIPATING TELEPHONICALLY.

Invocation

Pledge of Allegiance

1. APPROVAL OF THE AGENDA

2. ANNOUNCEMENTS

A. Washington City Police Department recognizes HVAC K-9 for their donation of Officer Tank. Police Chief Jim Keith

B. Washington City Police Department recognizes IHC for their donation. Police Chief Jim Keith

3. DECLARATION OF ABSTENTIONS & CONFLICTS

4. CONSENT AGENDA

APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 03/23/2016.

BOARD AUDIT REPORT: Consideration to approve the Board Audit Report for March.

5. FINAL PLAT

A. Consideration to approve the Final Plat for White Sage Industrial Park, located at

approximately 1350 South 1400 East. Applicant: Doug Dennett

6. PLAT AMENDMENT

A. Consideration to approve an amendment for the Sienna Hill Elementary Plat Amendment, located at approximately 1850 E. Grapevine Crossing. Applicant: Aaron Langston, State Institutional Trust Lands

7. ORDINANCES

A. Consideration to approve an Ordinance approving Zone Change Z-16-05 by amending the density and setback for Stucki Farms, located at approximately 900 East 4400 South. Applicant: Karl Larson

B. Continuation to consider the approve an Ordinance amending the City Code regarding Zoning Regulations and General Plan noticing. Applicant: Drew Ellerman, Community Development Director

8. RESOLUTION

A. Consideration to approve a Resolution, approving the designation of a representative to serve on the Administrative Control Board of the Washington County Special Service District No. 1 for the calendar year 2016 or until such time as a successor has been appointed. City Manager Roger Carter

9. FINANCE

A. Consideration to approve a Resolution creating a separate Debt Service Fund for the purpose of making all payments for governmental activities with respect to bonds issued and sold. Administrative Service Manager Kimberly Ruesch

B. Consideration to approve a Resolution creating a RAP Tax Special Revenue Fund to account for various activities related to funding of RAP Tax. Administrative Service Manager Kimberly Ruesch

10. RAP TAX

A. Consideration to use RAP Tax funds to purchase equipment and improvement to the Green Springs Golf. City Manager Roger Carter

11. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

12. CITY MANAGER REPORT

13. CLOSED SESSION

A. Discuss purchase, exchange or lease of property.

14. ADJOURNMENT

POSTED this 8th day of April 2016.

Danice B. Bulloch, CMC

City Recorder

In accordance with the Americans with Disabilities Act, Washington City will make reasonable accommodations to participate in the meeting. Request for assistance can be made by calling the City Recorder at 656-6308 at least 24 hours in advance of the meeting to be held.



FINAL PLAT OF:

WHITE SAGE INDUSTRIAL PARK

WASHINGTON CITY WASHINGTON COUNTY UTAH
 LOCATED IN THE BUILT UP AREA OF SECTION 34-01-23, RANGE 9-SOUTH

DATE: 4-2-2015
 SCALE: 1"=60'

JOB NO:
 27-0204

SHEET NO:
1 OF 1

ORDINANCE NO. 2016-XX

**AN ORDINANCE AMENDING THE ZONING
DESIGNATION OF WASHINGTON CITY, UTAH**

WHEREAS, the Washington City Community Development Department has recommended the following Zone Change be adopted; and

WHEREAS, the Planning Commission, pursuant to applicable notice requirements, conducted a public hearing on March 2, 2016, which public hearing was closed, for the purpose of considering the proposed Zone Change and the making of formal recommendation to the City Council; and

WHEREAS, the City Council, pursuant to applicable notice requirement, conducted a public hearing on March 23, 2016; and

WHEREAS, the City Council has reviewed this amendment and determined that it is in the best interest of the public and promotes the health, safety and general welfare of the community; and

WHEREAS, the City Council of Washington City, Utah, desires to amend the Official Zoning Map of Washington City, and

BE IT ORDAINED BY THE CITY COUNCIL OF WASHINGTON CITY, UTAH:
that the following described property Stucki Farms Planned Community Development is hereby amended by Application **Z-16-05** by:

- 1) Adding an additional Village 25. Transfer Villages 4 and 6 from low density to medium density, over all unit count remains the same.
- 2) Amendment building setback reductions in the front for buildings located within medium high-density designations of Villages 12 and 13.

Said property is located at approximately 900 East 4400 South, and changes are more particularly shown as follows:

Detailed Description in Exhibit A.

PASSED AND ORDERED POSTED on this 13th day of April 2016.

Washington City

Kenneth F. Neilson, Mayor

Attest:

**Danice B. Bulloch, CMC
City Recorder**

Zoning Comparison																
Stucki Farms - Amended 1/28/2016																
Washington City Planning and Zoning Ordinance																
Zoning Description and Designation			Maximum Allowable Density		Minimum Net Lot Size		Allowable Building Height		Parking Ratio Per Building		Building Setbacks (in Feet)					
			Stucki Farms	Washington City	Stucki Farms	Washington City	Stucki Farms	Washington City	Stucki Farms	Washington City	Stucki Farms	Washington City	Stucki Farms	Washington City	Stucki Farms	Washington City
Residential Categories:	R-A-1/2	R-A-1/2	2.5	1.5-2.5	12,000	21,780	35	35	2	2	25	30	8/10	10	20	30
	R-1-15	R-1-15	2.5	1.5-2.5	12,000	15,000	35	35	2	2	20	20	8/10	10	20	20
	R-1-12, R-1-10,	R-1-12, R-1-10	4.5	3-4.5	7,000	10-12,000	35	35	2	2	20	20	8/8	10	10	20
	R-1-8, R-1-6	R-1-8, R-1-6	5.5	5.5	7,000	6-8,000	35	35	2	2	20	20	8/8	8/10	10	10
	R-2	R-2	5.5	5.5	6,000	6,000	35	35	2	2	20	20	8/8	10	10	20
Medium High Density 12 & 13	Any of Above	MH, plus	12	7-12	N/A	6,000	35	35	2	2	10	20	5/5	10	10	20
Commercial Categories:	AP-C-1 No Res.	AP-C-1	N/A	N/A	N/A	N/A	35-50	35	1/200	1/200	20	20	20	0/10	10	0/10
	Neighborhood Commercial 14 -17						50	35	1/200	1/200	15	30	10	10	10	10
	Professional Office						50	35	1/200	1/200	15	20	0/10	10	10	20
	Business Park						35	35	1/200	1/200	15	30	0/10	10	10	0/10
	Stand Alone or Retail						35	35	1/200	1/200	15	30	20	0-20		
Community Commercial 18 & 19	C-2,C-3, No Res.	C-2, C-3	N/A	N/A	N/A	N/A	35	35	1/200	1/200	20		20			
Recreational:																
	Recreation Center 21	O.S., C-2					35	35			50		50		50	
	Ball Fields 24	O.S.	N/A	N/A	N/A	N/A	35					10		10		10
	Parks 22,23	N/A	N/A	N/A	N/A	N/A	35									
Semi-Public:																
	Church 20	N/A	N/A	N/A	N/A	N/A	N/A	35	1/3.5 seats	1/3.5 seats	50		10		10	
Farmhouse & Barn 25	N/A	N/A	N/A	N/A	N/A	N/A	35				20		10		10	
Open Space:																
	Street R.O.W.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Common Areas & Corridors	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

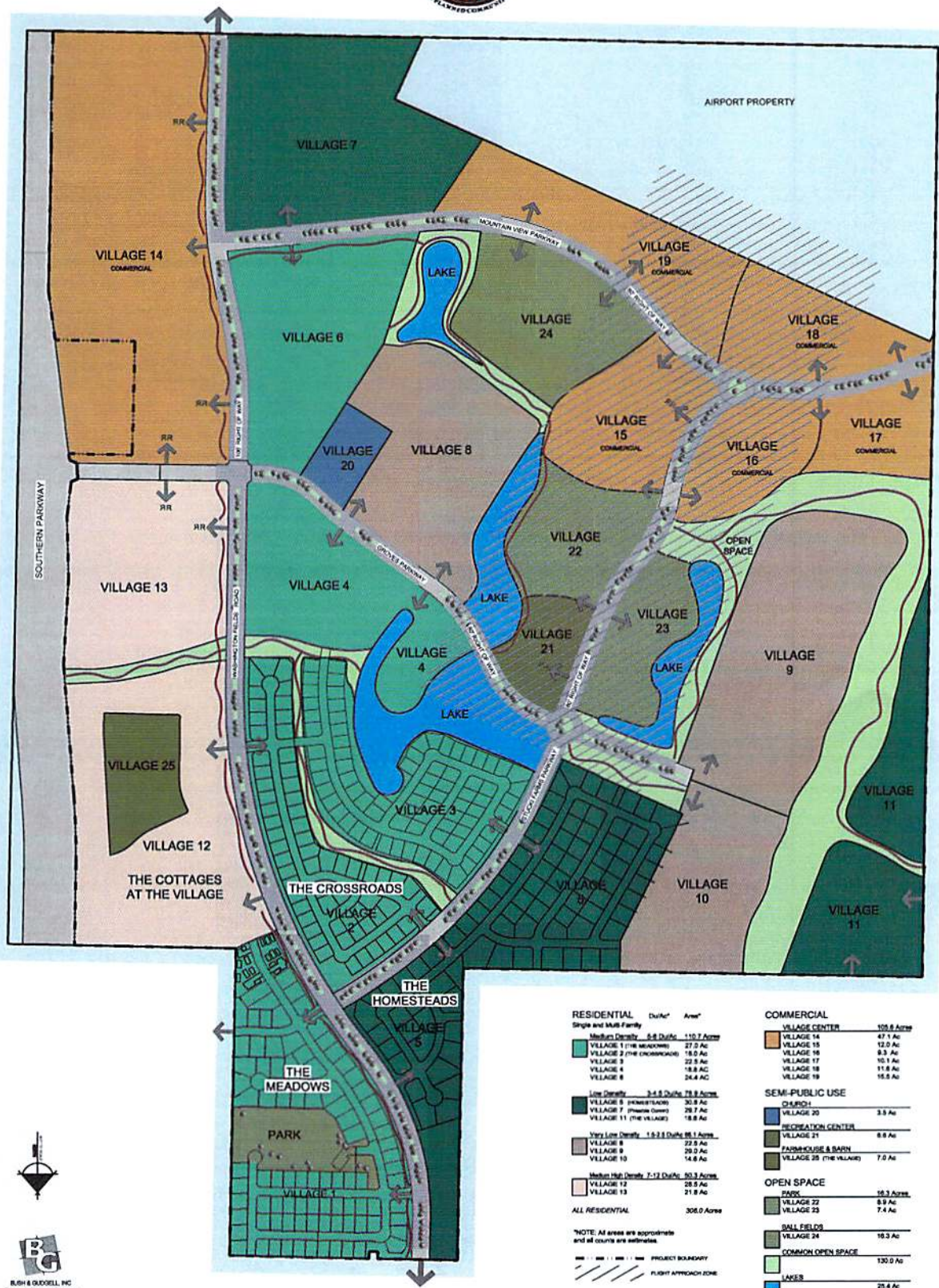
1. Where two numbers are shown in the Side Setback columns, the first number is one side setback/second number is the other side setback
2. Where two numbers are shown in the Front or Rear Setback columns, the first number is the garage setback/the second number is the house setback,

MAXIMUM TOTAL UNITS ALLOWED: 1,806

SOUTH LANDING DEVELOPMENT, LLC
1060 South Main, Suite 101B
St. George, UT 84770



Marketed By
KARL S. LARSON: 435 668-3311
SALES OFFICE: 435 668-5392



SPECIFIC SITE PLAN

WASHINGTON CITY
CITY COUNCIL MEETING
STAFF REVIEW

HEARING DATE: April 13, 2016

ACTION REQUESTED: Consideration to Amend a portion of the City Code, more specifically, “noticing distance requirements” as found in Title 9, Zoning Regulations, Chapter 9-2-7 “Changes and Amendments”..

APPLICANT: Washington City

REVIEWED BY: Drew Ellerman, Community Development Director

RECOMMENDATION: Recommend approval

Background

This item was tabled on the March 23, 2016 City Council meeting, to allow for extra time in reviewing the proposed amendment to the Zoning Regulations which was given out the night of the previous council meeting.

The City is wishing to amend the City Code for the purpose of expanding the current “noticing” requirements for public hearings and other required noticing agenda item applications.

Currently the Zoning Ordinance states that any required noticing follows Utah State Code, and is simply, any property within three hundred feet (300’) of any given parcel requesting a change will receive noticing for a public hearing.

The City Council is wishing to expand the requirement to include that a minimum of at least thirty notices are sent out. This matters when a given property may only have a hand full of notices that would be required to go out, due to a case of larger properties surrounding a given requested parcel. With the new proposed minimum of at least thirty (30) notices, more property owners will be reached for public hearings, thus allowing greater community input for any proposed changes throughout the city.

The following language is being proposed for the new noticing requirements for Zone Changes and General Plan Amendments:

9-2-7: CHANGES AND AMENDMENTS:

- A. Pursuant to Utah Code Annotated section 10-9-403, this title, including the map, may be amended from time to time by the city council after fourteen (14) days’

published notice and a public hearing. A completed application along with all required exhibits and studies, including the description of the land subject to amendment or change (the **"Subject Land"**), shall be submitted to the community development department by the approved meeting schedule cutoff date prior to the regularly scheduled meeting of the planning commission at which the application is to be first considered.

- B. After the application is reviewed and recommended by the planning commission, the application shall be submitted to the city council. The city council may accept, modify or deny the recommendation of the planning commission.
- C. Written notices of the planning commission and city council public hearings (**"Public Hearing Notices"**) shall be mailed via U.S. Postal Service, standard postage pre-paid, to the owners(s)-of-record of parcels of land appearing on the latest ownership plats maintained in the Washington County Recorder's Office (**"Adjacent Owners"**), according to the following:
 - 1. To the mailing address (as provided in the County Recorder's Office ownership plats) of each Adjacent Owner whose parcel is located within a three hundred foot (300') radius as measured from any point on the real property boundary line of the Subject Land; and
 - 2. The owner(s)-of-record (with identical mailing address information) of more than one (1) parcel of land within the Public Hearing Notice provisions of this Section, shall be entitled to - and considered to be - only one (1) Public Hearing Notice hereunder; and
 - 3. To the extent that fewer than thirty (30) Public Hearing Notices have been identified/mailed pursuant to this Section, additional Public Hearing Notices shall be mailed to the owners-of-record of the next nearest parcels of land (extending concentrically outward) until thirty (30) Public Hearing Notices have been identified/mailed.
- D. In addition, a sign indicating the proposed zone change shall be posted on the Subject Land by city staff. It shall be the responsibility of the applicant for such action to provide two (2) sets of address labels necessary to provide the Public Hearing Notices as well as a list showing the names and addresses of all property owners being notified pursuant to the immediately preceding Subsection C. All costs incurred by the city in processing a zone change or amendment shall be the

responsibility of the person requesting such zone change or amendment. (Ord. 2004-18, 6-9-2004; amd. 2007 Code)

With that said, staff is wishing to have our city code amended to add the above listed changes to the “Noticing” requirements as found in the Zoning Regulations. The Planning Commission reviewed this request at their March 2, 2016 meeting.

Recommendation

The Planning Commission unanimously recommended approval of the Amendments to the Washington City Code, Title 9, Chapter 2, Section 7 “Changes and Amendments”, to the City Council.

[SEE ATTACHED PROPOSED ORDINANCE]

ORDINANCE NO. 2016-_____

AN ORDINANCE AMENDING THE WASHINGTON CITY CODE, TITLE 9 ZONING REGULATIONS, CHAPTER 2 ADMINISTRATION AND ENFORCEMENT, SECTION 7 CHANGES AND AMENDMENTS.

WHEREAS, Title 9 of the Washington City Code, sets forth the provisions for the Zoning Regulations within the City; and

WHEREAS, the City desires to amend a certain section of Title 9, which more specifically is 9-2-7 Changes And Amendments, for the purpose of providing for the public safety, health and general welfare of the citizens of Washington City; and

WHEREAS, the Planning Commission of Washington City, Utah recommended that the amended section of the Zoning Ordinance be approved; and

WHEREAS, a public hearing was held by the Washington City Council after appropriate notice to consider the amendment.

NOW THEREFORE, BE ORDAINED by the City Council of Washington City as follows:

I. Section 9-2-7 Changes And Amendments, of the Washington City Zoning Ordinance which is hereby amended and shall read as follows:

9-2-7: CHANGES AND AMENDMENTS:

- A. Pursuant to Utah Code Annotated section 10-9-403, this title, including the map, may be amended from time to time by the city council after fourteen (14) days' published notice and a public hearing. A completed application along with all required exhibits and studies, including the description of the land subject to amendment or change (the **"Subject Land"**), shall be submitted to the community development department by the approved meeting schedule cutoff date prior to the regularly scheduled meeting of the planning commission at which the application is to be first considered.
- B. After the application is reviewed and recommended by the planning commission, the application shall be submitted to the city council. The city council may accept, modify or deny the recommendation of the planning commission.

C. Written notices of the planning commission and city council public hearings (**"Public Hearing Notices"**) shall be mailed via U.S. Postal Service, standard postage pre-paid, to the owners(s)-of-record of parcels of land appearing on the latest ownership plats maintained in the Washington County Recorder's Office (**"Adjacent Owners"**), according to the following:

1. To the mailing address (as provided in the County Recorder's Office ownership plats) of each Adjacent Owner whose parcel is located within a three hundred foot (300') radius as measured from any point on the real property boundary line of the Subject Land; and

2. The owner(s)-of-record (with identical mailing address information) of more than one (1) parcel of land within the Public Hearing Notice provisions of this Section, shall be entitled to - and considered to be - only one (1) Public Hearing Notice hereunder; and

3. To the extent that fewer than thirty (30) Public Hearing Notices have been identified/mailed pursuant to this Section, additional Public Hearing Notices shall be mailed to the owners-of-record of the next nearest parcels of land (extending concentrically outward) until thirty (30) Public Hearing Notices have been identified/mailed.

D. In addition, a sign indicating the proposed zone change shall be posted on the Subject Land by city staff. It shall be the responsibility of the applicant for such action to provide two (2) sets of address labels necessary to provide the Public Hearing Notices as well as a list showing the names and addresses of all property owners being notified pursuant to the immediately preceding Subsection C. All costs incurred by the city in processing a zone change or amendment shall be the responsibility of the person requesting such zone change or amendment. (Ord. 2004-18, 6-9-2004; amd. 2007 Code)

II. If any provision or clause of this Ordinance or application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses or applications thereof which can be implemented without the invalid provision(s), clause(s) or application(s) hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

III. This Ordinance supersedes or repeals the provision(s) of any ordinance(s) or resolution(s) that is (are) inconsistent with the provisions of this Ordinance.

IV. This Ordinance shall take effect immediately upon publication or posting, as required by law.

PASSED AND ORDERED POSTED on this 13th day of April, 2016.

Washington City

Kenneth F. Neilson, Mayor

Attest:

Danice B. Bulloch, CMC
City Recorder